

In re Patent Application of:

ROY ET AL.

Serial No. 10/777,731

Filed: **FEBRUARY 12, 2004**

REMARKS

The Examiner is thanked for the careful examination of the present application. Independent Claims 1, 12, 18, 24, and 28 have been amended to include the subject matter of dependent Claims 2-3, 13, 19, 25, and 29, respectively, together with additional subject matter. Support for the additional subject matter may be found in paragraph 11 of the originally filed specification. Dependent Claims 2-3, 13, 19, 25, and 29 have been canceled for consistency. In view of the amendments and arguments presented in detail below, it is submitted that all claims are patentable over the prior art.

I. The Amended Claims

Amended independent Claim 1 recites a communications system comprising a plurality of data storage devices, each using at least one of a plurality of operating protocols, at least one data storage device communicating using multiple operating protocols. A plurality of mobile wireless communications devices are for accessing the at least one data storage device, each mobile wireless communications device communicating using at least one of the plurality of operating protocols. The communications system also includes a protocol interface device comprising a front-end proxy module for communicating with the plurality of mobile wireless communications devices using respective operating protocols.

The protocol interface device also includes a protocol engine module for communicating with the plurality of data

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storage devices using respective operating protocols determining whether a given data storage device of the plurality thereof communicates using multiple operating protocols. The protocol engine module selects a single supported operating protocol for communicating with the given data storage device of the plurality thereof if only a single operating protocol is supported thereby, and selects a desired operating protocol for communicating with the given data storage device of the plurality thereof from the multiple operating protocols if multiple operating protocols are supported thereby. The protocol engine module selects the desired operating protocol based upon a ranking of the plurality of operating protocols, the ranking being based upon a number of protocol-supported elements.

Amended independent Claim 12 is directed to the protocol interface device of Claim 1 and has been similarly amended. Independent Claim 18 is directed to a protocol interface device for interfacing a plurality of communications devices with a plurality of data storage devices, contains similar recitation to independent Claim 1, and has been similarly amended. Independent Claim 24 is a method counterpart to independent Claim 12 and has been similarly amended. Independent Claim 28 is a computer readable medium counterpart to Claim 12 and has been similarly amended.

II. The Claims Are Patentable

The Examiner rejected dependent Claims 3, 13, 19, and 23, the subject matter of which (together with additional subject matter) is now incorporated into independent Claims 1, 12, 18,

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and 22, respectively, over the combination of Poor et al., Marl et al., and Natarajan. Poor et al. discloses an intermediate server or system having knowledge of application program protocols used by the application programs on a user's wireless device. The intermediate server receives information communicated from the device via a transport level protocol. This information is subsequently transmitted by the intermediate server to a remote server or system that services the application or program in use by that person, in accordance with the appropriate single communication protocol used by that remote server or system.

Marl et al. was cited for the general concept of determining whether an e-mail server is compatible with multiple protocols. Natarajan et al. was cited for the general concept of selecting a protocol when a server supports multiple protocols.

In his rejection, the Examiner stated that Natarajan et al. discloses ranking protocols by various criteria, including the relative efficiency of protocols, which involves the elements which a protocol supports. Independent Claim 1, for example, now recites that the protocol engine module selects the desired operating protocol based upon a ranking of the plurality of operating protocols, the ranking being based upon a number of protocol-supported elements.

Natarajan et al. discloses no such feature. Rather, Natarajan et al. selects a desired operating protocol based upon client middleware infrastructure's support for certain protocols, client or user privileges to use certain communication channels, user preferences for communication channel characteristics, and

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the relative efficiency of protocols (col. 2, lines 16-27 of Natarajan et al.) None of these factors upon which Natarajan et al. selects a desired operating protocol can be fairly interpreted as a number of protocol-supported elements, as recited in amended independent Claim 1.

Thus, Natarajan et al. fails to disclose the claimed feature of the protocol engine module selecting the desired operating protocol based upon a ranking of the plurality of operating protocols, the ranking being based upon a number of protocol-supported elements. Neither Poor et al. nor Marl provide this critical deficiency of Natarajan et al.

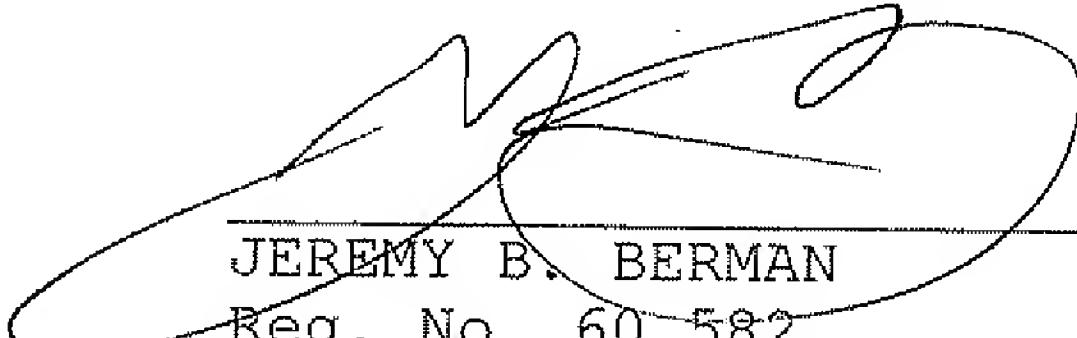
Accordingly, amended independent Claim 1 is patentable over the combination of Poor et al., Marl, and Natarajan et al. Independent Claims 12, 18, and 22 have been similarly amended and are patentable for the same reasons. The dependent claims, which recite yet further distinguishing details, are likewise patentable and require no further discussion herein.

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CONCLUSION

In view of the amendments to the claims and the arguments provided herein, it is submitted that all the claims are patentable. Accordingly, a Notice of Allowance is requested in due course. Should any minor informalities need to be addressed, the Examiner is encouraged to contact the undersigned attorney at the telephone number listed below.

Respectfully submitted,



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